

03-01-02

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DATE OF DEPOSIT: 02/27/2002

PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

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JCS 303 U.S. PTO
02/27/0210085862
02/27/02

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 049450-00172

First Inventor Peter A. Castric

Title Compositions and Methods for Eliciting an Immune Response
to Gram-Negative Bacterial Infections

Express Mail Label No. EL 803836267 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. Applicant claims small entity status.
See 37 CFR 1.27.
3. Specification [Total Pages 50]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C. 113) [Total Sheets 20]
5. Oath or Declaration [Total Pages]
 a. Newly executed (original or copy)
 Copy from a prior application (37 CFR 1.63 (d))
 b. (for continuation/divisional with Box 18 completed)
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
 - c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3.73(b) Statement (when there is an assignee) Power of Attorney
11. English Translation Document (if applicable)
12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. Other: Petition for & 3 sets color figures..

18. If a CONTINUATING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP)

of prior application No.: _____

Prior application information.

Examiner _____

Group Art Unit. _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number or Bar Code Label	003705 (Insert Customer No. or Attach bar code label here)		<input type="checkbox"/> or	<input type="checkbox"/> Correspondence address below
Name				
Address				
City	State		Zip Code	
Country	Telephone	Fax		

Name (Print/Type)	Debra Z. Anderson	Registration No. (Attorney/Agent)	44,506
Signature			Date 2/27/2001

Burden Hour Statement: This form is estimated to take 0 2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)

875.00

Complete if Known

Application Number	
Filing Date	
First Named Inventor	Peter A. Castric
Examiner Name	
Group Art Unit	
Attorney Docket No.	049450-00172

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number	02-2556
Deposit Account Name	Eckert Seamans Cherin & Mellott

Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17

Applicant claims small entity status.
See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
105	130	205 65 Surcharge - late filing fee or oath	
127	50	227 25 Surcharge - late provisional filing fee or cover sheet	
139	130	139 130 Non-English specification	
147	2,520	147 2,520 For filing a request for ex parte reexamination	
112	920*	112 920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113 1,840* Requesting publication of SIR after Examiner action	
115	110	215 55 Extension for reply within first month	
116	390	216 195 Extension for reply within second month	
117	890	217 445 Extension for reply within third month	
118	1,390	218 695 Extension for reply within fourth month	
128	1,890	228 945 Extension for reply within fifth month	
119	310	219 155 Notice of Appeal	
120	310	220 155 Filing a brief in support of an appeal	
121	270	221 135 Request for oral hearing	
138	1,510	138 1,510 Petition to institute a public use proceeding	
140	110	240 55 Petition to revive - unavoidable	
141	1,240	241 620 Petition to revive - unintentional	
142	1,240	242 620 Utility issue fee (or reissue)	
143	440	243 220 Design issue fee	
144	600	244 300 Plant issue fee	
122	130	122 130 Petitions to the Commissioner	130.00
123	130	123 130 Petitions related to provisional applications	
126	180	126 180 Submission of Information Disclosure Stmt	
581	40	581 40 Recording each patent assignment per property (times number of properties)	
146	710	246 355 Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249 355 For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279 355 Request for Continued Examination (RCE)	
169	900	169 900 Request for expedited examination of a design application	
Other fee (specify) _____			
*Reduced by Basic Filing Fee Paid			SUBTOTAL (3) (\$)
			130.00

**or number previously paid, if greater; For Reissues, see above

SUBMITTED BY		Complete (if applicable)			
Name (Print/Type)	Debra Z. Anderson	Registration No (Attorney/Agent)	44,506	Telephone	412.566.1910
Signature	<i>Debra Z. Anderson</i>			Date	2/27/2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

) Entitled:

PETER A. CASTRIC

)
)

) COMPOSITIONS AND METHODS FOR
)

) ELICITING AN IMMUNE RESPONSE TO
)

) GRAM-NEGATIVE BACTERIAL
)

) INFECTIONS

Serial No.: Filed Herewith

)

Attorney Docket No: 049450-00172

Eckert Seamans Cherin & Mellott
600 Grant Street, 44th Floor
Pittsburgh, PA 15219

Assistant Commissioner for Patents
BOX PATENT APPLICATION
Washington, DC 20231

PETITION FOR THE ACCEPTANCE OF COLOR FIGURES

Both color figures and corresponding black and white figures are provided for this application. Color coding is an important part of the claimed invention. It is difficult to appreciate the invention and understand the color coding from the black and white figures, even with the extensive description in the specification, as can readily be appreciated by a comparison of the black and white and corresponding color figures. Accordingly, acceptance of the enclosed color figures for this application is respectfully requested.

Three sets of the color figures are enclosed along with the fee set forth in Section 1.17(h). The specification already contains language identifying that the color figures are available in the patent files. Please charge the filing fee of \$130.00 for this petition to Eckert Seamans Deposit Account No. 02-2556. Favorable consideration of this petition is respectfully requested.

03/08/2002 VTRUDNG1 00000015 022556 10085862

04 FC:122

130.00 CH

Respectfully submitted,



Debra Z. Anderson
Registration No. 44,506
Attorney for Applicant
412.566.1910

Date

2/27/2002